

### **III. REMARKS**

1. Claims 1, 3, 4 and 13 are amended. Claims 12 and 15 are cancelled without prejudice.

2. Claims 1 and 3 are amended to address the 35 U.S.C. §112 second paragraph rejections.

3. Claims 1-10, 12-13 and 15 are not unpatentable over Andrews, White and Macario.

The combination of Andrews, White and Macario does not disclose or suggest that the keys are adapted for sound creating purposes comprising music composing applications, sound creating applications, system sound creation, sending sounds with multimedia messaging service or other messaging service, or any combination as is claimed by Applicant. Thus, claims 1, 4 and 13 are not obvious over Andrews, White and Macario. Claims 2-10, 12-14 and 15 are also not obvious, at least in view of there respective dependencies.

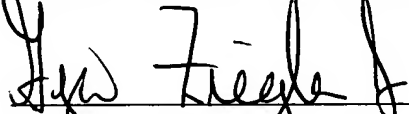
4. Claims 11 and 14 are not obvious over Andrews, White, Macario and Zhao, at least by reason of their respective dependencies.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should

any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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8 Nov 2005

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#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: November 8, 2005

Signature: Meaghan Bayz  
Person Making Deposit